

REMARKS

Upon entry of the present amendment, claims 1 and 4-11 are pending in this application. Claims 1 and 4-11 have been rejected. Claims 1, 4 and 6-8 have been amended.

Claims 2, 3 and 12-17 have been cancelled. Applicants reserve the right to pursue all cancelled subject matter in a continuing application or applications.

No new matter is added.

CLAIM REJECTIONS

Rejections under 35 U.S.C. § 102

Claims 1-11 are rejected under 35 U.S.C. § 102(b), as being anticipated by Foulkes et al., U.S. Pat. No. 5,580,722 (“Foulkes”). The Examiner states that Foulkes discloses 2-Thiazolamine as an agent for cardiovascular disease which anticipates the instant compound of formula I.

Claims 2 and 3 have been cancelled. Applicants traverse the rejection as it applies to the remainder of the pending claims .

Independent claims 1 and 8 (from which the remaining claims subject to the rejection properly depend) recite “A method of, in an animal, including a human, inhibiting the formation of, or reversing the preformation of, advanced glycosylation end products thereby treating damage to blood vasculature, atherosclerosis, peripheral vascular disease, coronary heart disease or heart failure, comprising administering an effective amount of a compound of formula I or IA ...”

Foulkes generally teaches methods of modulating gene transcription. With respect to 2-Thiazolamine, which the Examiner asserts anticipates the instant claims, Foulkes merely teaches that this compound is one of a laundry list of compounds that were tested for the ability to modulate the transcription of G-CSF (Granulocyte Colony Stimulating Factor), MMTV (Mouse Mammary Tumor Virus) and hGH (Human Growth Hormone). *See*, Column 48, line 42 – Column 51, line 25 and Table 2.

Foulkes does not disclose inhibiting the formation of, or reversing the pre-formation of, advanced glycosylation end products using the claimed compounds of the present invention,

as amended herein, thereby treating damage to blood vasculature, atherosclerosis, peripheral vascular disease, coronary heart disease or heart failure.

As such, Foulkes does not teach or suggest all of the limitations of the claimed invention. Accordingly, Applicants assert that claims 1 and 4-11 are not anticipated by Foulkes. Therefore, Applicants respectfully request the rejection of these claims be withdrawn.

Double Patenting

Claims 1-11 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No.6,596,744. Applicant files herewith a terminal disclaimer in compliance with 37 C.F.R. §1.321(c). Withdrawal of this rejection is requested.

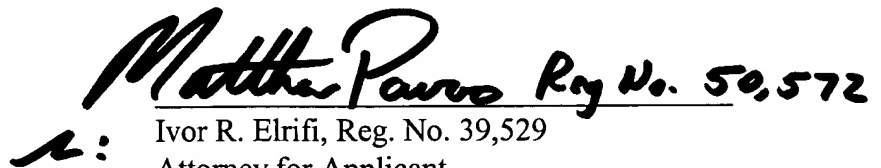
CLAIM OBJECTIONS

The Examiner has objected to claims 1-11 for reciting non-elected subject matter. Claims 2 and 3 have been cancelled. As suggested by the Examiner, Applicants have amended pending claims 1 and 4-11 to delete non-elected subject matter. Applicants reserve the right to pursue the cancelled subject matter of these claims in a continuing application or applications. The Examiner has also objected to claim 6 for reciting the punctuation “,”. As suggested by the Examiner, Applicants have amended claim 6 to delete “,” and to recite appropriate punctuation numeral “;”. Applicants submit that these objections are now moot and should be withdrawn.

CONCLUSION

On the basis of the foregoing amendment and remarks, Applicants respectfully submit that the pending claims are in condition for allowance and a Notice of Allowance for the pending claims is respectfully requested. If there are any questions regarding this application that can be handled in a phone conference with Applicants' Attorneys, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,


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